THREE
POLITICAL LETTERS
TO A
NOBLE LORD,
CONCERNING
LIBERTY and the CONSTITUTION.

LONDON:
Printed for *J. Roberts*, near the *Oxford-Arms* in *Warwick-Lane*, 1721.

(Price 6 *d.*)

THREE

POLITICAL LETTERS

TO A

NOBLE LORD

CONCERNING

LIBERTY and the CONSTITUTION.

LONDON:
Printed for J. Roberts, near the Oxford-Arms
in Warwick-Lane, 1728.

(Price 6 d.)

LETTER I.

My Lord,

IT is a juſt Reflexion that *Livy* makes, That Mankind are much more ſenſible of the Interruption made in their Liberty, than of the utter Loſs of it. *Acriores*, ſays He, *Sunt Morſus Libertatis interruptæ, quam Amiſſæ*; When Men have been Slaves for ſome time, they have no ſenſe of the Bleſſing of Freedom; Liberty has no Charms: And Oppreſſion, like a Dead Palſie benumbs them, that they can feel no weight, let it be never ſo great. But a free People can never be Ruin'd, without ſome Violent and Glorious Struggles for their Privileges. The leaſt approach of Arbitrary Power alarms them, and animates them with Noble and Generous Reſentments for the Publick Good. And 'tis fit indeed it ſhould; for the Intringement of one Fundamental, encourages

the breach of another: The Paſſions of Men have no bounds, and he that can gratify one Appetite with impunity, will be ſure to indulge another. But certainly we can never Guard enough againſt every Violation of our Rights, nor Puniſh the Offenders with too much ſeverity. At preſent we are the only Nation of *Europe* that have preſerv'd the Liberties tranſmitted to us from our great Forefathers; the noble *Gothick* Conſtitutions are All deſtroyed, and the Rights of Millions ſacrificed to the Pride, Ambition, and Caprice of Vicious, Ignorant, or Obſtinate Stateſmen. *Spain*, *France*, and *Denmark*, are no longer Free, who but ſome Ages ago had their Repreſentatives and Parliaments as well as we: The name of Liberty is no more heard amongſt them, and Slavery is taught to be an Inheritance by Divine Right. One would wonder how Nations ſo Brave, and Great as they were, ſhould ſuffer themſelves to be ſo oppreſt; that now they have a Property in nothing, but the Chains they wear; How their Princes, who were originally their Creatures, and in thoſe Times choſen for their Virtue, Wiſdom, and good Qualities, ſhould be capable of deſtroying what was the Intereſt of All to preſerve, would ſeem very odd, and unaccountable, if Hiſtory did not fully diſcover the Methods, the Miniſtries of thoſe Princes took, for Ruining thoſe Reſpective Conſtitutions. *Salluſt* and *Livy* both obſerve, that the Ruin of the

the Commonwealth was owing to the Introduction of Luxury. This debauch'd Mens Morals, and made them fit Inſtruments for Ambitious Men to Enſlave their Country. The ſame Inlet of Corruption has ſubverted the Conſtitutions of other Free Nations: Extravagance in all kinds of Expence has been always encourag'd by Miniſters that had a Deſign upon the Publick Liberty. Coſtly Equipages, Balls, Maſquerades, Gaming, and Luxurious Entertainments have been conſtantly celebrated and extoll'd by them, on purpoſe to corrupt Mens Virtue, and introduce Poverty: From hence came Penſions, and Dependance; and from hence Slavery and Oppreſſion. *Ab hoc Forte Derivata Clades, in Patriam, Populumque fluxit.* This was the Caſe of *France* and *Spain*. *Commines* obſerves, that *Lewis* the Eleventh, who firſt laid the foundation in *France* of Arbitrary Power, gain'd moſt of his Advantages by his Bribes; He had always a ſtrong Band of Penſioners, and His Money never fail'd of perſuading, where His Reaſoning did not always carry that apparent Evidence of Publick Good. In *Spain* we find noble Remonſtrances made by ſome Great Men in their Cortes, which were the ſame as our Parliaments, about the Invaſion of their Rights and Privileges: They bravely told *Charles* the Fifth, That they were a Free People, and would be Govern'd as ſuch; That their Allegiance was no longer due, than the

Laws were obſerv'd; And that the Power of his Northern Miniſters, for ſo his *Germans* and his *Flemmings* were call'd, was contraary to the Fundamental Rights of the Subject, of not being Govern'd by Foreigners; They Glorioufly complain'd, that *Spain* was made a Province to *Germany*, and their Treaſures exhauſted in ſupport of Power, which in all probability would deſtroy them. This was the ſpirit of thoſe Great Men; and the Effect of their Remonſtrance was a Generous and Laudable Aſſerting of their Rights by Arms: And tho' they had the misfortune of being overpower'd by foreign Forces, and the Corruption of a majority in one of their Parliaments, yet they had the ſatisfaction of having done their Duty, and leaving their excellent Proteſtations for Publick Liberty on Record, to condemn the infamous Iniquity of thoſe Parricides, that ſold themſelves, their Poſterity, and their Country for Money. Thus fatal has been Corruption and Bribery: And can we think the Adviſers of ſuch Methods can be puniſh'd too ſeverely? Can ſuch Conduct in Miniſters be too ſtrictly examin'd into? For to their Counſels are we to attribute in a great meaſure the Actions of Princes. 'Tis more than probable that *Charles* the Fifth had never acted as he did, had not he been inſtigated by his Foreign Miniſters; for we find him in the latter part of his Life, condemning his former Conduct. The Oath he made

the *Hollanders* take to his Son *Philip*, of defending their Liberties againſt the Invaſions of Arbitrary Power, and the Admiſſion of Foreigners, prove undeniably the Notion he had of that Accurſed Policy of Enſlaving his Country. It would be happy for every Free Nation, if they had Sumptuary Laws to reſtrain Men from Exceſs in their Expences. Where Men have a competency they will be free; Want makes dependance, and he that has nothing to loſe, will think nothing worth preſerving. In *James* the Firſt's time, there was an attempt made to introduce ſome ſumptuary Laws among us: But that Prince, who had little Craft, and ill-nature enough, to deſire to ſee Men Slaves, tho' he had not the Courage to make them ſo, diſcountenanced every thing that had the Face of publick Good. To his Reign, and *Charles* the Second's, are we to attribute the Corruption of our Morals. Luxury and Vice, produced very fruitful Harveſts, under ſuch diligent Husbandmen. Our great Men were Impoveriſh'd, and forc'd to become Penſioners for a ſubſiſtance: And how fatal that had like to have been to our Conſtitution, particularly in *Charles* the Second's time, we can only conſider with Horror, and Indignation. So Degenerate, and Abandon'd were we, that Wars were made upon a Nation, for whom we ſhould have fought, in Alliance with a Prince that was the growing Terror of *Europe*. Vaſt Sums were rais'd on the People, to main-

maintain Pimps, Penſioners and Whores; and this for a poor ſtipend. Nay, ſo far were ſome corrupted, that I have been well inform'd, they would give a Vote on which the Fate of *Europe* depended, for a Dinner at the Green-cloth. Many of theſe Wretches were only Day-Labourers, that work'd Jobs of Villainy occaſionally, while the Craftieſt Knaves and Demagoues, where taken into Service by the year. But God be prais'd, thoſe days are over, Mankind are too full of Abhorrence and Deteſtation of ſuch Villainies, to bear any ſuch Practice again. A Penſioner is now become Infamous, and no Man that has the leaſt regard for Honour and Reputation, would be thought liable to ſuch an Imputation. We have now a Spirit of Virtue and Liberty reigning among us; we have a good and gracious Prince, and a noble Conſtitution guarded by excellent Laws, particularly an Act of Settlement, which Religiouſly obſerv'd in the parts yet unrepeal'd, muſt make us all Happy. It is ſo Glorious an Act, that I can't forbear tranſcribing it: 'Twas an Act contriv'd by that truly great and able Stateſman, and worthy Patriot, the Lord *Sommers*; and paſt by that Admirable Man, King *William*, a Prince rais'd by Providence, to be the Scourge of Tyranny, and to ſave and protect the Rights of a Brave and Injur'd People, and to continue them, as far as Human Wiſdom and Virtue can provide, Inviolable to Poſterity.

The

The Words are,

'THAT whoſoever ſhall hereafter come to 'the Poſſeſſion of this Crown, ſhall join in Com-'munion with the Church of *England*, as by 'Law Eſtabliſh'd. *In Force.*

'THAT in caſe the Crown and Imperial 'Dignity of this Realm, ſhall hereafter come to 'any Perſon, not being a Native of this King-'dom of *England*, this Nation be not obliged to 'engage in any War, for the Defence of any 'Dominions, or Territories which do not be-'long to the Crown of *England*, without the 'conſent of Parliament. *Yet in Force.*

'THAT no Perſon, who ſhall hereafter 'come to the Poſſeſſion of this Crown, ſhall go 'out of the Dominions of *England*, *Scotland*, or '*Ireland*, without conſent of Parliament. Re-'peal'd 1 *G.* His Majeſty, as the Preamble ſets 'forth, having a Son.

'THAT from, and after the time the Li-'mitation ſhall take effect; all matters relating 'to the well Governing of this Kingdom, 'which are Properly Cognizable in the Privy-'Council, by the Laws and Cuſtoms of this 'Realm, ſhall be tranſacted there; and all Re-'ſolutions taken thereupon, ſhall be ſigned by 'ſuch of the Privy-Council as ſhall adviſe and 'conſent to the ſame. *In Force.*

'THAT after the Limitation ſhall take 'effect, no Perſon born out of the Kingdoms of

'*England*,

'*England*, *Scotland*, or *Ireland*, or the Dominions 'thereunto belonging, (although he be Natu- 'ralized, or made a Denizen, except ſuch as 'are Born of *Engliſh* Parents) ſhall be capable 'to be of the Privy Council, or a Member of 'either Houſe of Parliament; to enjoy any Office 'or Place of Truſt, either Civil or Military; or 'to have any Grant of Lands, Tenements, or 'Hereditaments from the Crown to himſelf or 'to any other, or others in truſt for him. *Yet 'in Force.*

'THAT no Perſon who has an Office, or 'Place of profit under the King, or receives a 'Penſion from the Crown, ſhall be capable of 'ſerving as a Member of the Houſe of Com- 'mons. *Repeal'd, or Explain'd* ſince his Maje- 'ſty's Acceſſion; *I can't tell which.*

'THAT Judges Commiſſions be made '*Quam diu ſe bene Geſſerint*, and the Salaries 'aſcertain'd and eſtabliſh'd: But upon the 'Addreſs of both Houſes of Parliament, it 'may be Lawful to remove them. *In Force.*

'THAT no Pardon under the Great Seal 'of *England*, be pleadable to an Impeachment 'by the Commons in Parliament. *In Force.*

WHAT a Glorious and Wiſe Proviſion is here, for the Liberties of a People? With what Intrenchments are we guarded againſt any attempts from Arbitrary Power? Theſe Barriers nothing can force while we are true to our ſelves: Theſe Laws ſhall ſtill preſerve us;

us: Not even the Villainy of the *South-Sea* Directors, nor the more wicked, and ſhameful Screening theſe Villains, and their Accomplices from Juſtice, ſhall be able to overturn this Great, this Glorious and Antient Conſtitution. Tho' the violent Invaſion of our Property has been ſo Impudent and Barefac'd, that it might be thought, (did not we well know our Miniſtry) to be deſign'd to introduce Arbitrary Power; and alarm us by this preparatory Calamity, to expect ſomething ſtill more terrible to come. But while theſe Laws remain, and are Executed, we have Liberty; and while we have Liberty, we ſhall certainly do our ſelves juſtice upon theſe Miſcreants, that are conſiderrble only by their Villainies. Such Crimes can never go unpuniſh'd; and ſhould the Laws, and Legiſlature be ſuppoſed Capable of ſuffering them to Eſcape, (the contrary of which, we find in the noble Spirit, and Zeal of both Houſes,) yet the Law of Nature would demand Satisfaction, ſhould ſuch a defection from common Juſtice and Honour ever happen: Every Man, ſays *Grotius*, might right himſelf; and Execute the Sentence his own uncorrupt Judgment ſhould dictate to him. I am,

My Lord,

Your Lordſhip's, &c.

LETTER II.

My Lord,

AS we judge of the Wiſdom and Happineſs of a People from the form of their Government, and the due Execution of Good and Uſeful Laws; ſo we take our Notions of a Miniſtry, from the Proſperity, Quiet and Glory which a Nation enjoys from their Policy, and the Beneficial Acts made under their Adminiſtration. If a State encreaſes in Wealth, if its Trade Improves, if 'tis Conſiderable Abroad, and Eaſy at Home, if proper Regulations are made for the equal Liberty of All, and Defence of Property; Then we pronounce a Miniſtry Wiſe and Able, and Diſtinguiſh them by the glorious Name of Patriots. But if on the contrary, Commerce decays, if Diſcontents and Murmurs ariſe on every ſide, if foreign Courts ſhow but little or no Regard to it, and fatal or inſignificant Statutes are Enacted, What can we think of a People under ſuch a Miniſtry, or not expect from their Adminiſtration? Certain it is, the Miſeries and Calamities of a People are to be imputed to them; and they ſtand Accountable for their Ignorance, Negligence, or Corruption. They are Guardians of our Liberties, and entruſted with our Intereſts: For this we Honour, and give them Precedence; and for this

ſup-

ſupport them in their Dignity. And indeed a Good Miniſter can never be eſteem'd too much. The Poſt he fills requires great Application and Integrity: He is to devote himſelf to the Publick Good, and neglect his own Profit, Eaſe, and Pleaſure; He is to have no Ambition but to ſerve his Country; nor any views but thoſe of Honour, Virtue, and Liberty. He is to ſacrifice his Private Reſentments to the Publick Intereſt; and Reward Men of Merit without Partiality to Friendſhips or Relations. He is to watch over the Morals of the People, and take care of all Attempts againſt the Virtue of the Commonwealth; and, like ſome Wiſe Law-Givers, puniſhing with Death the Offerer as well as the Taker of a Bribe; Rightly judging, that ſuch a Practice muſt end in the utter Ruin of the Conſtitution. This we expect from a Patriot: But if a Miniſter is Corrupt, if he little underſtands the Buſineſs he is entruſted with, or if he underſtands it, neglects it for his Pleaſures; if he is Irreſolute in what is Laudable, or Obſtinate in what is Wrong; if he *Philippiſes*, or is Govern'd by Counſels deſtructive of the Intereſts of his Country, or Corrupts the Morals of others by the irreſiſtable temptation of a Penſion, What ſhall we ſay to ſuch a Perſon, or how treat him with ſufficient Scorn and Indignation? Shall we call him a Patriot? or rather ſhall we not call him a Betrayer of his Country, and cry

aloud for Juſtice. Yes, ſurely we ſhall; 'tis a Debt we owe our Selves and our Country; 'tis a Debt all Nations have demanded, and Miniſters been oblig'd to pay. Of this Truth, our own Hiſtories will give us abundant proof: Our brave Fore-Fathers would always Vindicate their Liberties, and puniſh the Violation of their Rights: They glorioufly Remonſtrated againſt the Government of Foreign Miniſters in the Reigns of *Stephen*, *Henry* the Third, and *Edward* the Second, and Curs'd the Direction of *Spaniſh* Counſels in the time of *James* the Firſt. Thoſe noble Parliaments were juſtly jealous of their Privileges: And tho' weak Princes would ſometimes protect their Favourites againſt the Bent and Inclination of the People; yet the People never left Proſecuting thoſe Favourites, till they were ſacrific'd to their juſt Rage and Reſentment. Even the Two *Spenſers*, thoſe Darlings of their Prince, were at laſt Maſter'd and put to Death, tho' their Obſtinacy and Ambition involv'd the Nation in a Civil War. Indeed in the Reign of *Charles* the Second, we were Univerſally corrupt; a wicked Miniſtry made a wicked Nation; our Repreſentatives were moſt Penſioners; and our Legiſlature was in the Houſe of Bondage. *French* Counſels infected our Cabinet; and the true Intereſt of *England* was no more regarded. *Dunkirk*, a Place almoſt as important as *Gibralter*, or *Port-Mahon*, was baſely ſold, and deliver'd up; our Fleets fought the Battles of others;

others; and violent Seizures and Invaſions were made on our Property: Thus all things tended to Arbitrary Power, and the Ruin of the Conſtitution. But of a ſudden the Nation was alarm'd; God open'd the eyes of the Parliament to perceive the Danger of their Liberties; The Antient *Engliſh* Virtue reviv'd in them, and call'd up the memory of their Anceſtors that died in the Cauſe of Liberty; Thoſe that had been Penſioners for ſo many Years, became Patriots, and zealous Aſſertors of their Laws and Privileges, They now abhorr'd themſelves, and the Court, and ever after ſignaliz'd their Virtue in oppoſing their Impious Deſigns: So that after a long Seſſions of Eighteen years, they had the Honour and Glory to be Diſſolv'd; notwithſtanding the alluring promiſes of the Miniſtry to make them Perpetual, would they change their Meaſures, and be ſubſervient to the Court: But they rejected the offer with the utmoſt Diſdain and Indignation, as an Attempt to ſubvert the Conſtitution. And indeed they did well: For how far the Body of the People might think That an Abſolute Breach of Truſt, and what might be the Conſequences of ſuch an Opinion, would perhaps be very difficult to Determine: Theſe Things were done for our Inſtruction. 'Tis true, nothing of this Nature is like to happen to Us: But yet as *Tacitus* ſays, We ſhould *Inſervire Poſteris*. There may a Prince and Parliament ariſe, that

may not attend ſo nicely to ſuch Tranſactions; and a wicked Miniſtry may prevail again, as it has often done before. We indeed have Great Reaſon to be Thankful; for certainly never was the *Engliſh* Nation Govern'd by ſuch a Miniſtry; nor will Poſterity, I believe, ever ſee the like again. I humbly ask Pardon if I offend their Modeſty: But I ſhould not do them that juſtice which all Sober, and Diſpaſſionate Men deſire to ſee done, if I did not Congratulate my Country upon ſo wonderful a Conſtellation of Great Men: Perſons ſo univerſally admir'd and eſteem'd for their Probity, Publick Spirit, Underſtanding, and good Conduct, that 'tis yet a Doubt, whether they are more belov'd by their Country than they Love and wiſh well to it. Indeed 'tis our Peculiar happineſs, to have ſome Great Men, of ſuch ſingular Abilities, that they can diſcharge Poſts of different Natures, and which require different Talents, with equal skill, integrity, and ſucceſs; Perſons that can ſhift and change Offices, and Execute all with the ſame Addreſs; and, as was ſaid of *Cato* the Cenſor, When you ſee them in one Employment, you'd ſwear they knew little of any thing elſe. Rare and admirable Endowments! We have had the Bleſſing of ſeeing one great Man, Firſt Commiſſioner of the Treaſury, Lord Preſident of the Council, Secretary of State, Groom of the Stole, and Lord Privy-Seal ſucceſſively, and yet

yet with what Honour, Dexterity, and Applauſe, has He acquitted himſelf in all theſe Places? We have ſeen a Perſon advanced to be Secretary of State, like another *De Wit*, at an Age, when others are but ſetting out into the World. But his Knowledge of the Arts of Peace and War, and of the Intereſts and deſigns of Foreign Princes, his extraordinary Abſtinence from Pleaſures, and application to Buſineſs, made him abſolutely neceſſary, to act in Concert with Perſons that deſign'd nothing but the Glory and Happineſs of the Nation. But his Death, Lamented by all good Men, has deſtroy'd the Hopes we had conceiv'd of ſo valuable and uncorrupt a Patriot. But why dwell we upon particulars? 'Tis with Us, as with a fine Face; where its Beauty does not conſiſt in this or that Feature, but in the Symmetry, and Harmony of the whole. The Glory and Security of the Nation does not depend upon the Integrity and Conduct of one Miniſter, but upon the joint Endeavours of all in the Adminiſtration: 'Tis this Concurrence that makes us thus happy. 'Tis this Union that expedites the moſt difficult Affairs, and removes thoſe Embarraſments and Perplexities, that might otherwiſe be Fatal; this Agreement and Correſpondence does not affect Us only; the effects are Diffuſive and Univerſal. All *Europe* Extol their Policy, and feel the Influence of their Counſels. Fain would I know, when the *Engliſh* Nation made ſo great a Figure

gure as it makes now? Has not the *Swede*, and even the Mighty Emperor of *Germany* Solliciting for our Aſſiſtance? Has not *Spain* felt the fury of our Fleet, and the Czar own'd the dread of our Naval Preparations? Should any be ſo weak or perverſe to disbelieve it, let him repair to *Bremen*, and viſit the Territory of *Verdune*, and he'd learn the Glory of the *Engliſh* Nation, and perceive the Terrors of our *Baltick* Squadron. We are the Arbiters of Peace and War: And all the Sons of Men conſent to fear us, except the States of *Brabant*, who are ſafe only by being inconſiderable. Tell me when were there ſuch few Diſcontents, Murmurs, and Remonſtrances? When ſat People more contented, more eaſy, and more ſubmiſſive? And whatever Plots ſome Perſons might alarm us with, yet with how little noiſe, hurry, and tumult have they been ſuppreſt; that many have ſuſpected that there have been none at all. Yet will I ask again, when Flouriſh'd the Nation under ſuch excellent and uſeful Laws, as have been pas'd ſince his Majeſty's Acceſſion to the Throne, and during the preſent Adminiſtration? Should I give a Summary of theſe Acts, how would Envy and Detraction be ſilenced? I ſhall mention the chief, and leave the reſt to the curious and intelligent Reader. In this noble Collection of Laws, where ſhall I begin firſt? We have many admirable and neceſſary Acts to Attaint *Traytors* in *open Rebellion*; and multitudes for the bet-

ter Regulation and Payment of the Army, and to prevent Mutiny and Deſertion, and others for ſupplying the Deficiencies of the Civil Liſt. We have an Act to enable his Majeſty to go abroad; and another for the Importation of Turbets in Forreign Bottoms. We have a Bill to reſtrain the Running of Brandy; and another to keep the *South Sea* Directors within the Land. We have a Perpetual Riot Law, by which every Juſtice may keep the Peace, by commanding upon pain of Death, any Twelve Perſons that are met together, to diſperſe; and another for the Preſervation of the Game, and the ſecurity of Salmon. We have Statutes for ſuſpending the *Habeas Corpus* Act, by detaining Perſons in Priſon during Pleaſure; and others againſt Wears, Nets that are too large, and illegal Practices in catching of Fiſh. We have Acts for Repealing and Explaining parts of the Act of Setlement, and others for Explaining Branches of the Game Act. We have a *South-Sea* Bill, and an Act againſt Frauds in Colouring of Snuff. We have an Act for confirming the Charters of Aſſurance; and another againſt the Combination of Journey-men Taylors, and to diſcourage Cloth-Buttons. And laſtly, we have an Act, to Qualify Penſioners at Will, to Vote in the Houſe of Commons, and another which immediately follows, to reſtrain Carmen from riding in their Carts. Theſe Laws ſhow the Happineſs of ſuch an Adminiſtration. Indeed the *South-Sea* Bill has not anſwered ſo fully as

might have been wiſh'd; but to whom ſhall we impute it? Not to the Miniſtry. The Power indeed they had by that Act, of checking the Villainous deſigns of the Directors, unfortunately was given up by the Treaſury, to the Directors themſelves. But ſuch a Breach of Truſt could never have been expected from Men of their Character, and known Integrity. Indeed by this means, they and their Accomplices have got the Wealth of the whole Nation into their Hands, but what ſignifies that? The Encouragement given to the Weavers and the late Button Act, will ſoon reſtore the Trade and Credit of the Nation, to the utter confuſion of all Callicoes, whether Stain'd or Unſtain'd. After all, as the beſt of Men are ſubject to Cenſure, if I might Preſume to blame the Miniſtry, I think with great Submiſſion, I might obſerve, that they have not ſufficiently encouraged the Diſcovery of the Longitude, nor taken proper meaſures to get a Proteſtant Pope. But this I muſt ſubmit to the Judgment and Conſideration of Wiſer and Abler Men than my Self. I am,

My Lord,

Your Lordſhips, &c.

LET-

LETTER III.

My Lord.

THE Queſtion your Lordſhip is pleas'd to ask about the Nature of Prerogative, and the Extent of the Legiſlative Power, has perplex'd many Great and Learned Men; and might in a Nation that did not enjoy that perfect Liberty that we do, be thought perhaps a little dangerous to Anſwer: But however I ſhall endeavour to give your Lordſhip all the ſatisfaction I am able. Prerogative, and the Legiſlative Power, were allowed, and ſettled by the Body of the People, for the better ſecurity and advantage of Society: They are Truſts for the Publick Good, and have their bounds in Reaſon, and the Law of Equity. The End of them, was the Liberty and Safety of the Community; and for the Maintenance and Improvement of Property. They were the Creatures of the People; and rais'd for their Defence, and deſign'd for their Happineſs; notwithſtanding what the Folly, the Flattery and Corruption of ſome have vainly aſſerted to the contrary. Prerogative is nothing but Unwritten Law, left to the wiſdom and diſcretion of the Prince, to be made uſe of by him on all extraordinary Emergencies of State: 'Tis not a Lawleſs Extravagant Power of acting Arbitrarily; but 'tis rather an allowed

Complimental Power, that the Prince may better ſhow his Wiſdom, Courage, and Conduct, in the Government of his People, in Caſes that can't be foreſeen. Could Men have provided againſt every Miſchief, there had been no ſuch thing as Prerogative; and were Princes always, and unavoidably Wiſe and Good, there would be no occaſion for written Law: But the Vices, Weakneſs, and Follies of Mankind, make both abſolutely neceſſary. The Legiſlature is the whole force of the Community lodg'd in ſuch and ſuch Hands; 'Tis a Delegation of the Rights of All to the Execution of a Few, whoſe Probity, Virtue, Wiſdom, and ſuperiour Qualities, have recommended to the eſteem and choice of the Multitude: This is the Foundation of their Being. The Powers they are arm'd with, are the Peoples; and all that Omnipotence they are inveſted with, is ſtill but the Collective Authority of the ſeveral Individuals. The Enacting, and Execution of the Laws is indeed lodg'd with them; but that Original Power thus to Enact and Execute, came wholly from the People. 'Tis a matter meerly Confidential and Fiduciary; and whenever a Legiſlature acts againſt the important Intereſts, and original Compact of the People, ſo far they are guilty of a Breach of Truſt, ſo far they act without Authority, and are Anſwerable to their Principals for the violation of their Engagements. The *Dernier Reſort*,

and

and *Summam Imperium*, is ſtill in the People, and they are Accountable for the Uſurpation of any extravagant and pernicious Powers. In ſuch a Tyranny, and unjuſt Domination, Mankind have a Right of Demanding Satisfaction from their Repreſentatives. They may Enquire into their Notorious Miſconduct, and Examine into their Fatal Corruption. This we find done in the Time of *Edward* the Second: The Lords and Commons had made a delegation of their Power, to ſome of both Houſes, to tranſact the Buſineſs of the whole Nation. The joint Authority of the Legiſlature was devolv'd into a few hands; and the Perſonal Confidence that the People placed in their Repreſentatives, was transferred to others to be Executed by them. This Conduct the People juſtly reſented; and the ſubſequent Parliament declar'd their proceedings illegal, and contrary to the Fundamental Conſtitution of the Nation. And indeed it ſeems highly reaſonable it ſhould be ſo; for ſuch a voluntary Abdication from Parliament, and Abſenting from Buſineſs, muſt needs be Fatal, in giving Deſigning and Ambitious Men an opportunity of Impoſing on the Publick, and paſſing ſuch Laws as may be Deſtructive of the common Liberty. Whatever Artifices crafty Men may make uſe of to colour their Arbitrary behaviour, yet a Free People, will know when they are oppreſs'd, and ſhow their Indignation when the Commiſſion they have given,

given, is not exactly and rightly purſued: They won't admit of an overbearing and unſatisfactory Reply, That they are not proper Judges of ſuch Tranſactions; they have ſtill the ſame Reaſon and Underſtanding to judge of the Conduct of Men, as they had at firſt to judge of their Abilities. If their Expectation is not anſwer'd, they will murmur; and thoſe murmurs all Wiſe Men will think it worth their while to endeavour to appeaſe and remove. When the *Roman* People made their *Decemvirs*, they arm'd them with the Tribunitial and Dictatorial Power. They gave them the whole Authority of the Commonwealth, and inveſted them with the abſolute Diſpoſal of their Lives and Fortunes. Never had any ſet of Men a greater Extent of Juriſdiction; and yet what deference did thoſe firſt *Decemvirs* pay to the judgment of the People, and what regard to their Opinion and Direction? They well knew for what end they were inſtituted, and how their Conduct would be Scann'd after the expiration of their Office, which was to continue for a Year. They ſaw the Eyes of the Common wealth were upon them, and that the Favour or Contempt of the Community would be beſtow'd upon them, as they behav'd themſelves in the Exerciſe of this unbounded Power. *Livy*, that admirable Hiſtorian, and Wiſe Politician, commends their deference to the Judgment and Direction of the People, and tranſmits them

to Posterity, in an Advantagious and Honourable light, and sets them in an happy opposition to those Vile *Decemvirs* that succeeded in the Administration, and who are Infamous for Subvetting the Constitution, and Invading the Liberties of their Country. These *Decemvirs*, as we have observed, were chosen for a Year and no longer, to compile a Body of Laws for the better Government of the State. The *Roman* People were then only Honest, plain Men. They had no Luxury, and no Subtleties, and Fineneſſes of Policy. They had a mind to have their Property, and their Liberties secur'd; for this reason, they resolv'd to have a standing Body of Laws to resort to, to ascertain their Rights, and take away that *Vagum jus*, that may be apply'd to every occasion that a corrupt Judge shall think fit. Accordingly *Decemvirs* were chosen, and the *Decem Tabulæ* that were brought from *Grece*, were confirm'd. These Laws were so well approv'd, that upon the Report that there was a Deficiency of two Tables, other *Decemvirs* were appointed, who were to continue for a year and no longer, to make the Collection still more compleat. This was an admirable design; but the *Decemvirs* that were chosen, were different from the first in their Virtue and Moderation; as the method of their Election was contrary to the order and regularity of the Precedent. Faction and Ambition prevail'd: They were no sooner in Possession of their Office, but the

sweets

ſweets of unbounded Power put them upon trying the Extent of that Power. The Intereſt of the People was no more regarded; Their Properties were invaded, and their Liberties inſulted. Freedom of Speech was now a Crime, and Virtue Fatal. Fundamentals gave way to Tyranny, and every Right and Privilege fell a Sacrifice to that Power, for whoſe very ſake that Power was created. The ſhortneſs of their duration gave new force to their oppreſſion. But at laſt neceſſity put them upon eſtabliſhing themſelves; And they Reſolv'd to continue this exorbitant Authority, beyond the expreſs Agreement and Limitation of the People. *Livy*'s Words are ſo Admirable and Elegant, that I beg leave to tranſcribe them. *Opinio*, ſays that excellent Author, *etiam ſine Auctore exierat, non in præſentis modo temporis eos injuriam conſpiraſſe ſed fœdus Clandeſtinum inter ipſos jure jurando ictum, ne Comitia haberent; Perpetuoque Decemviratu, Poſſeſſum ſemel obtinerent imperium; Circumſpectare tum Patriciorum vultus, Plebeii. & inde Libertatis captare Auram, unde ſervitutem timendo, in eum ſtatum Rempublicam adduxerant. Primores Patrum odiſſe Decemviros, odiſſe Plebem, nec probare quæ fierent, & Credere haud indignis Accidere. Avide ruenda ad Libertatem, in Servitutem Elapſos juvare nolle cumulare quoque injurias, ut tædio preſentium, Priſtinus rerum Status in Deſiderium veniat.* That is, There was a Report (*which after appear'd to be true*) but the Author could not be

be known, that the *Decemvirs* not only affected a preſent Tyranny, but deſign'd to continue themſelves for ever, and accordingly made a ſolemn and ſecret Combination by Oath for this purpoſe. The People caſt their Eyes on the Nobles for Relief, and hoped they would lead the way to the recovery of their Liberty, and the Antient Conſtitution. But the cheif of the Nobility hated the People as well as the *Decemvirs*: And tho' they diſapprov'd of what was done, yet they thought theſe Calamities were juſtly fall'n upon the People, for the Methods they had taken for their ſuppoſed Freedom; ſo would give them no help, hoping that this Oppreſſion would make them long after their old Form of Government. Thus Miſerable were the People: And when the time for creating new Magiſtrates was come, yet the *Decemvirs* ſtill exercis'd their Power, and refuſed to Aſſemble the People for a new Election. *Idus*, ſays *Livy*, *maja venere. Nullis ſubrogatis magiſtratibus. Privati pro Decemviris; neque animis ad imperium inhibendum immutatis, neque ad ſpeciem honoris inſignibus Prodeunt. Id Regnum haud dubie videri. Deploratur in perpetuum Libertas. Nec vindex Quiſquam exiſtit, aut Futurus videtur. Nec ipſi ſolum deſponderant animos, ſed Contemni cœpti erant a finitimis populis.* But this Arbitrary Power did not hold long: The People glorioufly aſſerted their Liberties, and ſeverely puniſh'd the Infamous Authors of their

Oppreſſion. Thus ended the *Decemvirat*, a Power that had been capable of doing infinite Service to the Publick, had it kept within due bounds: But being ſtrain'd beyond the Limits the People had preſcribed for its Exerciſe and Duration, it was aboliſh'd by them; and a ſolemn Reſolution taken never to create another Magiſtrate, from whom there could be no Appeal to the People, that ſo by their intervention, they might Prevent or Redreſs any Encroachments that ſhould be after made upon their Conſtitution. And indeed the *Roman* People were ſo jealous of their Rights, that they never thought themſelves truly ſafe till a Law was paſs'd, that no one ſhould be Conſul two years together; they thought the compaſs of a Year ſufficient to continue any Man in the ſame Employment; and had rather ſuffer the inconvenience of a good Conſul's leaving his Deſigns unfiniſh'd, than endanger the Conſtitution by the prolongation of Power in vicious or ambitious Hands. And this *Tacitus* obſerves was the Conduct of *Tiberius*, no inconſiderable Politician, in relation to his Governours of Provinces: He well knew that the continuance of Power made Men unable to reſiſt the ſollicitations of Avarice and Ambition, and would put them upon Daring what otherwiſe they had not thought of; and of Executing what leſs time muſt neceſſarily leave Imperfect. But the *Roman* People religiouſly obſerv'd this Maxim till *Marius*'s time; And

then

then their Fear of the *Cimbrian* Invaſion made them break in upon their Conſtitution, to chooſe *Marius* their Conſul two years ſucceſſively, and by that means gave him an opportunity of Ruining the Commonwealth, and paving the way for a Perpetual Dictator. Many wiſe Nations have likewiſe acted according to the Rules of this Policy; the *Goths* had their Annual Meetings, and formerly our Elections of Parliaments were every year; but ſome Inconveniencies appearing, our preſent Septennial Act has at length been introduced, and eſtabliſhed. But to return from whence we have digreſſed: The Collective Body of the People have always expected that their *Pacta Conventa* ſhould be obſerv'd; they have ſhow'd their Reſentments upon every Violation; and diſcover'd the fatal Power of an injur'd and incens'd Multitude. 'Tis dangerous making Experiments how much they will bear; Their Love and Good-will may be eaſily gain'd; Gentle and Juſt uſage will make them Friends: And a Regard to their Fundamentals will inſpire them with the utmoſt Veneration for their Patriots. Look into the Hiſtories of *Greece*, and take away Ambition to alarm them, and Actual Attempts upon the Conſtitution, and you'll find the People quiet, eaſy, and ſubmiſſive: Touch that, or make any approaches to Innovation, and you raiſe their fury and indignation. Would any Man apprehend the *Athenians* had common Senſe,

for the uproar and confuſion they were in upon the Maiming of their *Mercuries?* But won't He commend their Jealouſy, and applaud their Reſentments, when He knows this Action was deſign'd as an Introduction to Tyranny, and to try how far the People would admit of an Alteration in their Form of Government? They were Tenacious of their Privileges, and abhorr'd the leaſt tendency to Slavery: And whoever attempted to continue his Power beyond the time that was allow'd by Law and common Conſent, was ſure to periſh in the undertaking, however Great and Formidable was the Intereſt of the Conſpirator, and whatever Reaſons of Publick Good were pretended for the neceſſity of ſuch Conduct, either from the Apprehenſion of Forreign Enemies, or the Dread of Civil Commotions. Thus, my Lord, I have obey'd your Commands, and told you what my Sentiments are concerning Government: That it was rais'd by the People for their Benefit, and deſign'd for their Happineſs; That All might enjoy Liberty, and the Comforts and Conveniencies of Life: That they might be free from the attempts of Crafty and Deſigning Men, and better reſiſt Oppreſſion by the Union of their Hands, and Counſels. That Laws made by common Conſent, ſhould be punctually obſerv'd; That their Rights might be Protected, and Avarice, Corruption and Ambition be timely and ſeverely Puniſh'd.

Theſe

Theſe were Mens Notions in Antient times, when Flattery had not as yet prevail'd, nor Corruption enſlav'd Mens Virtue. With what Contempt had thoſe brave and honeſt Men treated a Wretch that ſhould have dared to Aſſert, that Mankind were made for the Tyranny and Lawleſs Rule of One, every way perhaps Inferior to the reſt? One Peradventure, that had not any one good Quality, but meerly the Accidental good Fortune of being Deſcended from Worthy and Illuſtrious Anceſtors, whoſe Wiſdom and Virtue had deſervedly rais'd them to the higheſt pitch of Power and Authority. Would ſuch a Wretch have been ſuffer'd? Or rather would not he have been expell'd Society, and loſe the Benefit of that Inſtitution, whoſe end was Liberty and Protection from Injuſtice. 'Tis my Lord, our Peculiar Happineſs to have an excellent Conſtitution, where the Rights and Privileges of all are ſettled, and Wiſely ſecur'd; where the claims of Power are nicely adjuſted, and Fundamentals Eſtabliſh'd. We have enough of Prerogative, and not too much of Liberty. Our Body of Laws are the Wiſeſt, and beſt Calculated for that *aqua Libertas* ſo much celebrated by Politicians, that the Value of them ſhould be more than Gold, and the Price of them, more than much Fine Gold. And 'tis a greater Happineſs to ſee theſe Laws executed, and our Liberties defended. We have a Bill of Rights, which all our Kings muſt Recognize at their Coronation,

that

that is full of Wiſdom, Virtue, and Liberty. 'Tis ſuch an invaluable Collection of our Privileges, that it ſhould be read Solemnly by us. as the Law of *Moſes* was by the Children of *Iſrael*. 'Tis a Law of that Importance that it can never be inculcated enough, nor the obſervation be too ſtrictly requir'd. From hence we may draw early Notions of the Incomparable Bleſſing of Liberty, and have proper Deteſtations of Tyranny; From hence we may dread the Terror of a ſtanding Army, and rejoice in our freedom of Elections of our Speech, and of Petitions. Let Us often read this Sacred Depoſitum of our Rights, and bring up to our Imagination, thoſe Noble Patriots that eſtabliſh'd them, as Addreſſing themſelves to us in theſe Emphatical Words, tho' ſpoken on a more Solemn occaſion. '*This Bill of Rights, Thou ſhalt teach diligently* '*unto thy Children; and ſhalt talk of them when* '*thou Sitteſt in thy Houſe, and when thou walkeſt* '*by the way, and when thou lieſt down, and when* '*thou riſeſt up. And thou ſhall bind them for a ſign* '*upon thine Hand, and they ſhall be as Frontlets be-*'*tween thy Eyes; and thou ſhalt write them* upon the '*Poſts of thy Houſe, and on thy Gates.*' *Theſe my* Sons are your Rights, *Theſe are your* Privileges, We have aſſerted and Eſtabliſh'd.

THAT the pretended Power of Suſpending Laws, or the Execution of Laws by Regal Authority without the conſent of Parliament, as it hath been aſſumed and Exerciſed of late, is Illegal.

THAT

THAT the pretended Power of Diſpenſing with Laws, or the Execution of Laws, by Regal Authority, is Illegal.

THAT the Commiſſion for Erecting the Court of Commiſſioners for Eccleſiaſtical Cauſes, and all other Courts, and Commiſſions of like Nature, are Illegal and Pernicious.

THAT Levying Money for or to the Uſe of the Crown, by pretence of Prerogative, without Grant of Parliament for longer time, or in other manner than the ſame is or ſhall be granted, is Illegal.

THAT it is the Right of the Subject to Petition the King, and all Commitments and Proſecutions for ſuch Petitioning, are Illegal.

THAT the raiſing and keeping a ſtanding Army within the Kingdom in time of Peace, unleſs with Conſent of Parliament, is againſt Law.

THAT the Subjects which are Proteſtants, may have Arms for their defence ſuitable to their Conditions, and as allow'd by Law.

THAT Election of Members of Parliament ought to be free.

THAT the Freedom of Speech, and Debates of Proceedings in Parliament, ought not to be Impeach'd, or Queſtion'd in any Court or Place out of Parliament.

THAT Exceſſive Bail ought not to be required; nor Exceſſive Fines impoſed, nor Cruel nor unuſual Puniſhments inflicted.

THAT

THAT Jurors ought to be duly Impannell'd and Return'd; and Jurors which paſs on Men in Tryals of High-Treaſon, ought to be Free-holders.

THAT all Grants and Promiſes of Fines, and Forfeitures of particular Perſons before Conviction, are Illegal and Void.

AND that for Rredreſſing all Grievances, and for the Amending, Strengthning, and Preſerving of the Laws, Parliaments ought to be held frequently.

THESE are the Rights that we have purchaſed with our Blood, and defended againſt Arbitrary Power, and the Corruption of wicked Miniſters. Do you preſerve them with the ſame Courage and Virtue, and piouſly Tranſmit them to your Children. Think not that Liberty can be bought too dearly, or that Oppreſſion can be feared too much. Be ſtill your Country's. Let not Hopes or Fears, Rewards or Puniſhments, ſeduce or deter you from its Glorious Service. Let your Deaths be Honourable, or your Lifes Free: Frequently repeating this noble Sentiment, *What Pity is it, that we can die but once to ſerve our Country?* But before I conclude, let me here pay my grateful Acknowledgments, to thoſe Heroes that died at *Eveſham* for the Expulſion of Foreigners, and to thoſe that fought for Liberty, in the Plains of *Barton*. Let me Remember thoſe Patriots that paſt the Excluſion Bill; Eſtabliſh'd the Bill of Rights, and confirm'd the

Act of Settlement. Let me Honour the Memory of thoſe brave Penitents, that forſook with Indignation, the fatal Penſions of *Charles* the Second; that had the virtue to be Diſſolv'd, and Glorioufly aſſerted the Cauſe of Liberty in the Depoſal of King *James*. Let the Memory of theſe Patriots be ever dear to Us; But let Us Curſe the *Spenſers*, and deteſt the *Gaveſtons*. Let Us abhor the Treachery and Corruption of ſome, and the mean Submiſſion of others to the Oppreſſion and Ruin of their Country. Let the *Empſons* and the *Dudleys* be ever thought on by Us, with Infamy and Execration, that could raiſe their Fortune on the Pillage and Plunder of their Fellow Subjects. But ſtill, as a Conſolation, let Us Remember and Rejoyce, that the Wages of theſe Crimes were Death. I am,

My Lord,

Your Lordſhip's, &c.

POSTSCRIPT.

My Lord,

I Humbly ask Pardon for detaining you any longer: But on Reading the *London Journal*, I could not but obſerve with pleaſure, how many of the *W——s* are in Places of the Greateſt Power and Advantage, and rejoyce that one Family is capable of ſerving the King and Nation, in all theſe Important Poſts. Such an Inſtance is not often to be ſeen: Formerly a Prime Miniſter would think He had done and *deſerv'd ſufficiently*, if he had brought Three or Four of his Relations into part of the Adminiſtration: But now we have a Generation, like the famous *Fabii* in *Rome*, that appear All together in the Defence of their Country: Men of ſuch Spirit and Reſolution, as to Dare, notwithſtanding the Envy or Oppoſition of their Enemies, to undertake Employments ſo full of Trouble and Difficulty; and in the Execution of which their Behaviour will be ſo ſtrictly Examin'd. Some Perſons indeed may think that this Conduct is not altogether ſo proper; and that the Policy of enlarging their Intereſt, would be more ſuitable to their Wiſdom, and the Expectation, or Vanity of the World, which is apt to flatter itſelf in ſuch Caſes, with having a ſhare in the Profits and Honours of the State. Theſe opinions

opinions, I muſt own, are ſomething plauſible, and they are only ſo; for no one, I believe, will give any great regard to them. Would Men come unprejudic'd, and diſpaſſionate, I would venture to ask them, whether this Conduct is not highly Reaſonable and Proper for the end that is propoſed, *The better Government of the Nation?* The knowledge of Mens Manners, Capacities, and Inclinations, creates a particular Truſt and Confidence; it adds new Strength, and gives a greater Force to their Union. Such a Concert is irreſiſtible, and like the Magick of Mechanicks, produces Miracles from the diſpoſition of its Engines, and the knowledge of their Forces. When the *Latines* had Revolted from their Obedience to the *Romans*, each Man ſays *Livy*, choſe his Relation or his Neighbour for his Companion in the War: They made a ſolemn Oath to be true to each other, and Reſolv'd to Conquer or to Die together. This confederacy conſiſting all of Relations, or Friends, whoſe Virtue, Valour and Abilities, were known to each other, rais'd and animated their Courage, and inſpir'd them with ſuch Sentiments, as had like to have prov'd fatal to the *Roman* Power. Diſtruſt and Jealouſy obſtructs, or defeats the beſt Deſigns; but mutual Confidence ariſing from the knowledge of your Aſſociate's abilities, from his Virtue, Courage, and other neceſſary Qualities; muſt ſurmount the Greateſt Difficulties, and gain every Advantage:

Such a Combination makes the Intereſt of One, the Intereſt of All. Their Motives and their Ends are all the ſame; their Counſels are regularly directed, and their Conduct from thence is ſo uniform, that no Ambition or Confederacy can diſturb them. When we ſee one Brother in the T——ry, another S—ry of S——te, and and a Third P—M—r G——ral, What Invaſions can we fear from Abroad, or what Diſturbances at Home? How will the vigilance of One be beneficial to All? and the Intelligence of a S——y be improv'd by the care and aſſiſtance of the Super Intendant of the Poſt Office? What apprehenſion can we have of Treaſonable Correſpondences, or Seditious Letters, when 'tis once known that *G——s W—l* and *R—t, W—l*, Eſquires, are both Brothers; and that one is firſt Com—r of the T—y, and the other P—ſt M——r G—l? 'Tis Happy for us that we have Men for ſuch Poſts, and Poſts for ſuch Men. As for Mr. *W*——'s Sons, or Grandſons, if he has any, we can never take enough care of them; they ſhould be early initiated in the Service of their Country, and improve thoſe Seeds of Virtue, and Publick Spirit that they inherit from their Noble Father; Let one be Clerk of the Pells, and the other Inſpector of the Cuſtoms; Let them Learn betimes to imitate his unconquerable contempt of Money, and Practice his Generous Defence of Innocence in Diſtreſs;

And

And may theſe Sons beget many others in the ſame likeneſs, till at laſt, like *Barzillai*, there may be Seventy of them to appear before the King. As for my part, I rejoyce to ſee ſo many worthy Men in Office, and am pleas'd, like the Noble *Spartan* in *Plutarch*, to find ſo many better Men than my ſelf in Publick Employments. I can ſee theſe Patriots, I thank God, without Envy; and reflect that I have no ſhare of Power, without any concern. It has formerly, indeed, been made an Article of Impeachment againſt ſome Great Men, that they advanc'd only their Creatures and Relations; but that aroſe probably from the hatred the Nation has always had againſt Favourites; or perhaps the Perſons thus Advanced, were really unfit for their Employments; They might have no Abilities, or Experience of Buſineſs, or perhaps, what is worſe, they were diſhoneſt in the Execution of their Office; but 'tis otherwiſe with us. The Illuſtrious Family of the *W*——*s* are as well known to us as they are to each other, their Views are the ſame, and their Regard to the Publick equally Generous and Laudable: And tho' the Profit ariſing from theſe Places is very conſiderable, yet that is meerly accidental, and has no weight with Perſons ſo diſintereſted and attacht to their Country: And I dare Anſwer for them, that they would continue their Service, were their Salaries reduc'd; ſo much do they Love the power of doing good. I can't make an

end,

end, without desiring your Lordship to inform whether *R——t Walpole* Esq; a Country Gentleman, that was Expell'd the House of Commons some time ago, and committed to the *Tower*, for his vigorous opposition of Arbitrary Measures, has the Honour to be Related to *R——t W——e* Esq; now first Commissioner of the Treasury, for I protest I can't tell; If he is, All true Lovers of their Country hope He will be taken *great Care of*. I am,

My LORD,

with the greatest Respect,

Your Lordship's, *&c.*

FINIS.

ERRATA.

LEtter II. Pag. 16. If any should be so Weak or Perverse to disbelieve it, Let him Repair to *Bremen*, Read any One; Let. III. p. 21. *Verdune*, Read *Verden*; in *Edward* the second, Read *Richard* the second.